



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Ivo Raaijmakers et al.)	Group Art Unit 1763
)	
Appl. No.	:	09/658,784)	
)	
Filed	:	September 11, 2000)	
)	
For	:	LOADLOCK WITH INTEGRATED)	
		PRE-CLEAN CHAMBER)	
)	
Examiner	:	Rudy Zervigon)	
)	

APPLICANTS' REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In above-captioned patent application, Applicants respectfully submit the following Reply to the Examiner's Answer mailed on September 2, 2004.

ARGUMENT

Applicants' position and claims are clear.

In the Examiner's Answer, the Examiner states that:

"Applicant's position is confusing: Does Applicant cite that Applicant's first port communicate between the load lock chamber, the substrate handling chamber, and the at least one process chamber? Or does Applicant cite that Applicant's first port communicate between the load lock chamber and the substrate handling chamber, and that the substrate handling chamber communicates with at least one process chamber."

Applicant respectfully submits that the claims and Applicants' position are clear. Claim 61 recites, in part, "a substrate handling chamber selectively communicating with the load lock chamber through the first port; and at least one process chamber selectively communicating with the substrate handling chamber, wherein the first port is located in the upper portion." In a similar manner, Claim 67 recites, in part, "a substrate handling chamber selectively communicating with the load lock chamber through the first port; and at least one process chamber selectively communicating with the substrate handling chamber, wherein said first port opens into said upper portion and said second port opens into said lower portion."

Applicants' arguments have been consistent with the above-noted claim language. In both claims, (i) the substrate handling chamber is in communication with the load lock through the first port and (ii) at least one process chamber selectively communicates with the substrate handling chamber.

The Examiner's interpretation of the claims is unreasonable.

During patent examination, the pending claims must be "given the broadest *reasonable* interpretation consistent with the specification." M.P.E.P. § 2111 (emphasis added). In addition the, broadest reasonable interpretation must also be consistent with the interpretation that those skilled in the art would reach. M.P.E.P. § 2111 (citing *In re Cortright*, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999)).

For the first time, the Examiner is apparently taking the position that the substrate handling chamber 16 of Tanaka et al. (USPN 6,234,107) is in communication with the process chamber through the load lock. This interpretation is not entirely clear from the Examiner's Answer, nor has the Examiner raised this interpretation in the many prior communications between Applicants and Examiner. In any event, Applicants submit that this is an unreasonable interpretation of Tanaka et al. and Applicant's claims. One of skill in the art would simply

would not recognize the substrate handling chamber of Tanaka as being in communication with the processing chamber, nor would the skilled artisan interpret “selectively communicating with” as encompassing communication by way of a load lock. As is known in the art, both doors of a load lock are never open together, such that chamber on either side of the load lock could not selectively communicate with one another. The meaning of the claim language is clear from the application itself and from the ordinary usage in the industry, and the skilled artisan would not interpret the claim language to encompass the structure of Tanaka.

Applicants claims are structurally distinguished from the prior art.

The Examiner implies that Applicants are attempting to distinguished Applicants’ claims based upon how the claimed apparatus is “intended to be employed.” However, Applicants merely argued that the claimed structure provided significant advantages over the structure taught by Tanaka et al. Specifically, the claimed structure allowed for a more efficient sequence of processing steps. This sequence is simply not possible with the different structure taught by Tanaka. This is due to the fact that the apparatus of Tanaka is structurally inverted with respect to Applicants’ claimed structure, and the Examiner has not even attempted to provide a suggestion for inverting Tanaka’s structure. Applicants, in contrast, have taught an efficient sequence of steps that motivates the claimed structure.

CONCLUSION

Nothing in the prior art discloses, teaches or suggests the invention recited by the claims discussed above. In combination, the applied references also do not also art disclose, teach or suggest the invention recited by the claims discussed above. In addition, the art of fails to supply any motivation or suggestion to modify the applied references to include the limitations of the claims. The applied combinations of references therefore is improper.

The applied reference does not anticipate the claimed invention. The final rejection of Claims 61, 67 and 103-116 based on anticipation should be reversed. Favorable action to this end therefore is most respectfully solicited.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR

Dated: 11-2-04

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